

REMARKS

The specification is amended herein to correct a clerical error. Specifically the paragraph bridging pages 22-23 is amended to correct the second occurrence of “decyl(meth)acrylate) at line 4 of page 23 by replacing it with “dodecyl(meth)acrylate”. The amendment to the specification is made to correct an obvious error and the correction is readily recognized by those of ordinary skill in the art as the appropriate correction since the (meth)acrylic acid C₁₋₁₈ alkyl esters described in this paragraph of the specification are clearly arranged such that the carbon number of the alkyl group thereof increases.

Claim 1 is amended herein. Support for the amendment is found, for example, in the paragraph bridging pages 22 and 23 of the specification. No new matter is presented.

I. Preliminary Matters

The Office Action Summary sheet indicates that claims 1, 2 and 4-6 are pending in the application and claims 1, 2, 5 and 6 are rejected. However, claim 4 was canceled in the Amendment filed April 16, 2007. Applicants respectfully request clarification of this point for the record.

II. Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kishioka, taken either individually, or in view of JP ‘781.

Without conceding the merits of the rejection, claim 1 is amended herein to recite specific (meth)acrylic acid C₁₋₁₈ alkyl esters, which are not taught or suggested by the cited references.

Further, Applicants submit that the Examiner's position that the recited peeling adhesive strength is a matter of routine optimization is unreasonable. The Examiner states that the element of the peeling strength recited in claim 1 is believed to be a matter of routine optimization determined by the intended use of the sheet. Applicants respectfully submit that the specification of the present application describes that if the 180° peeling adhesive strength (to a glass plate or a triacetyl cellulose film at a peeling rate of 300 mm/min at 23°C) of the pressure-sensitive adhesive layer in the display device side exceeds 5.0 N/20 mm, when the double-sided pressure-sensitive adhesive sheet is peeled away from the display surface of the display device together with the touch panel, anomalies such as generation of cracks on the surface of a transparent conductive member constructing the touch panel and damage to the display device side are liable to occur. Thus, the element of the peeling adhesive strength has technical significance in the present invention. Further, Comparative Example 3 of the present specification shows that when both the 180° peeling adhesive strengths to the pressure-sensitive adhesive layer in the display device side and to the pressure-sensitive adhesive layer in the touch panel side are larger than 5.0 N/20 mm, the double-sided pressure-sensitive adhesive sheet is low in reworkability and forms the cracks during peeling.

Further, in the present invention the pressure-sensitive adhesive layers constituted from the same kind of major monomer are intentionally laminate with each other to obtain a pressure-sensitive adhesive sheet. The cited references are silent about this concept. For at least this reason, the present invention is patentable over the cited references.

In referring to Ulrich Reissue type adhesives, Applicants believe the Examiner is referring to Re 24,906. While such monomers in such amounts as disclosed in the '906 reissue

patent might be common, there is no motivation nor an apparent reason for one of ordinary skill in the art to modify the disclosure of Kishioka which teaches an adhesive composition that comprises as a main component an acrylic polymer comprising as a monomer unit an aromatic ring-containing copolymerizable monomer, based on the disclosure of the '906 reissue patent. For this additional reason, the present invention is patentable over the cited references.

Furthermore, the Examiner's position that two major monomers of the type disclosed by Kishioka added up meets the element of the present claims of the major monomer constituted from the same monomer in an amount of 80% or more by weight based on the whole amount of the monomer components is not correct. This element of the claims cannot be ignored. One of ordinary skill in the art would not have been motivated to modify or combine Kishioka with a reasonable expectation of success in arriving at the present invention. For this additional reason the present invention is patentable over the cited references.

Accordingly, Applicants respectfully request withdrawal of the §103 rejection.

III. Conclusion

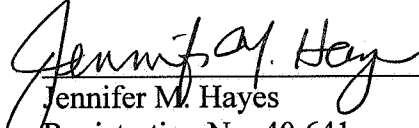
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/765,359

Attorney Docket No.: Q79404

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565

CUSTOMER NUMBER

Date: October 3, 2007